

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAHINAH IBRAHIM,
Plaintiff,

No. C 06-00545 WHA

v.

DEPARTMENT OF HOMELAND
SECURITY, et al.,
Defendants.

ORDER RE SPECIAL MASTER

An April 16 order determined counsel for plaintiff's entitlement to attorney's fees and expenses (Dkt. Nos. 718, 739, 748). The order stated:

this order will allow [plaintiff's fee] application to go forward provided that plaintiff's counsel shall pay 75% of the special-master's fees (rather than 50%) in connection with the fees-and-expenses procedure set forth in a companion order. The government shall pay the remainder. This allocation is the starting point and may be adjusted to reflect factors set forth in FRCP 53(g)(3).

On June 20, the parties stated that they could not agree on a proposed special master (Dkt. No. 768).

As a service to the Court and to save the parties expense, the following former law clerks have generously agreed to cap their hourly rate at **\$200 PER HOUR**. Accordingly, the undersigned judge proposes appointing one the following individuals as the special master:

Matthew Borden


Gina Moon

1 Their *curricula vitae* are attached. Ms. Moon served as a law clerk while this action was pending
2 but did not work on this litigation. She did not participate in any discussions about the case. Mr.
3 Borden was a clerk before this case began.

4 By **NOON ON JULY 9**, the parties shall file a joint statement regarding whether they can
5 agree on one of the above as a special master and/or shall state any objections. Please identify
6 any conflicts. The special master shall issue a report and recommendation regarding the *amount*
7 of fees and expenses to be awarded in accordance with the April 16 *entitlement* order.

8 **IT IS SO ORDERED.**

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10 Dated: June 26, 2014.

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12 WILLIAM ALSUP
13 UNITED STATES DISTRICT JUDGE
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MATTHEW BORDEN BIOGRAPHY

Matt is a founding partner at BraunHagey & Borden LLP. He has successfully litigated dozens of cases for business clients in the U.S. and internationally in state and federal trial and appellate courts around the country.

Matt has successfully represented Fortune 500 companies, financial institutions, and foreign governments in billion dollar lawsuits and other high-stakes litigation. Some of his former clients include Bank of America, Kyocera Corp., B&G Foods, Wells Fargo Bank, the Government of Egypt, and the Government of Guam. Matt has successfully prosecuted high-stakes litigation against similar entities, such as Deloitte & Touche, Mizuho Bank, Shinsei Bank, Citibank, National City Bank, Beverly Enterprises, Rothstein Kass LLP, and ComUnity Lending, Inc.

Matt has litigated diverse business disputes, and has successfully prosecuted impact litigation with novel legal issues on diverse topics, including elder care. Matt has also tried several criminal and asylum cases and appeals and has taken on profuse pro bono work every year he has been in practice.

Experience

Law school

J.D. from University of California Hastings College of the Law (2000), Order of the Coif, Thurston Society.

Undergraduate

B.A. in English from University of California Berkeley.

Former Associations

Law Clerk, Honorable William Alsup (N.D. Cal.); Associate, Morrison & Foerster, LLP (San Francisco).

GINA MOON

[REDACTED]

EDUCATION

Columbia University School of Law, New York, New York

Juris Doctor, May 2008

- Harlan Fiske Stone Scholar
- Chapter/Articles Editor, *A Jailhouse Lawyer's Manual*; Staff Editor, *Columbia Human Rights Law Review*
- Judge & Editor, Foundational Moot Court

Stanford University, Stanford, California

Bachelor of Arts with Honors, Science, Technology, and Society, June 2004

- Stanford in Government Fellow, United Nations International Labour Organization, Bangkok, Thailand
- International Affiliate, University of Cape Town, South Africa

LEGAL EXPERIENCE

Clarence Dyer & Cohen LLP, San Francisco, California, *September 2012 – Present*

Associate Attorney

Defend individuals, fiduciaries, and businesses in state and federal criminal prosecutions, pre-indictment federal criminal investigations, and regulatory investigations. Advise and represent clients in parallel civil/criminal actions, high-stake tort claims, and civil disputes with local municipalities and other government entities.

Gibson, Dunn & Crutcher, LLP, San Francisco, California, *April 2012 – Sept. 2012, October 2008 – July 2010*

Associate Attorney

Drafted dispositive motions, expert exclusion motions, motions *in limine*, and appellate briefs in state and federal court; deposed fact and expert witnesses; conducted witness interviews for internal investigations; managed large-scale document preservation and discovery planning projects. Handled securities fraud, attorney's fee, antitrust, federal civil rights, employment, and complex commercial matters.

United States District Court, Northern District of California, San Francisco, California, *July 2010 – March 2012*

Law Clerk to the Honorable William Alsup

Prepared draft orders on suppression, expert exclusion, severance, discovery, dispositive, and other pre-trial, trial, and post-trial issues; researched jury instructions and sentencing issues; attended proceedings for three RICO trials spanning seven months.

The Legal Aid Society – Prisoners' Rights Project, New York, New York, *January 2008 - May 2008*

Legal Extern

Enforced compliance with settlement regarding use of force on Rikers Island; interviewed inmates regarding civil rights violations; conducted investigation into potential claims against NYC Board of Correction.

Gibson, Dunn & Crutcher, LLP, San Francisco, California, *May 2007 - August 2007*

Summer Associate

Researched and drafted legal memoranda; drafted motions *in limine*.

Neighborhood Defender Service of Harlem, New York, New York, *January 2007 - May 2007*

Legal Extern

Assisted attorneys in defense of client charged with first-degree murder (client acquitted).

California Appellate Project, San Francisco, California, *June 2006 - August 2006*

Legal Extern

Drafted habeas claims and FOIA appeal for client serving capital sentence; analyzed unrepresented inmate cases.

PROFESSIONAL ASSOCIATIONS

Edward J. McFetridge American Inn of Court, National Association of Criminal Defense Lawyers, Asian American Bar Association of the Greater Bay Area, Criminal Justice Act Attorney Development Program.